

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

LEROY "BUD" BENSEL, et al.,

Plaintiffs,

v.

ALLIED PILOTS ASSOCIATION, AIR  
LINE PILOTS ASSOCIATION,  
AMERICAN AIRLINES, INC., and  
TWA AIRLINES, LLC,

Defendants.

HONORABLE JOSEPH E. IRENAS

CIVIL ACTION NO. 02-2917 (JEI)

**ORDER ON THE MANDATE**

**APPEARANCES:**

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Airlines, LLC

**IRENAS**, Senior District Judge

It appearing that:

1. On July 18, 2003, this Court entered an Order granting summary judgment on all Counts of Plaintiff's Complaint.

2. After an appeal to the Third Circuit Court of Appeals, the Circuit Court entered an Order dated October 26, 2004, reversing and remanding as to Count I of the Complaint and affirming as to all other Counts.

Based on the foregoing,

**IT IS** on this 24<sup>th</sup> day of January, 2005,

**ORDERED that:**

1. The Court's Order of July 18, 2003 is hereby **VACATED** as  
**to Count I of the Complaint ONLY;** and

2. The Court's Order of July 18, 2003 SHALL REMAIN IN FULL  
FORCE AND EFFECT in all other respects.

s/ Joseph E. Irenas

JOSEPH E. IRENAS

Senior United States District Judge